

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

---

**TONY SMITH,**

**Plaintiff,**

**v.**

**E-BACKGROUNDCHECKS.COM,  
INC.,**

**Defendant.**

---

**No. 1:13-cv-02658-JEC-RGV**

**UNOPPOSED MOTION FOR EXTENSION OF TIME FOR PLAINTIFF  
TO RESPOND TO DEFENDANT E-BACKGROUNDCHECKS.COM,  
INC.'S OBJECTIONS TO THE REPORT AND RECOMMENDATIONS  
THE MAGISTRATE JUDGE**

Plaintiff Tony Smith, hereby moves this Court for a 2-day enlargement of time, up to and including December 10, 2014, for Plaintiff to respond to Defendant E-Backgroundchecks.com, Inc.'s (EBC) Objections to the Magistrate Judge's Report and Recommendations (Dk. No. 56) (Objections). Plaintiff's unopposed motion is supported by the following:

1. On November 5, 2014, Magistrate Judge Vineyard issued a Report and Recommendations regarding EBC's Motion for Summary Judgment. (Dk. No. 54).

2. On November 19, 2014, Defendant filed its Objections (Dk. No. 56).

3. Plaintiff's response to the Objections is currently due on or before December 8, 2014.

4. Counsel for Plaintiff requests additional time to fully analyze the arguments asserted in the Objections and to prepare an appropriate response.

5. This case has not been scheduled for trial and thus, extending the deadline for Plaintiff's response to the Objections by two (2) days will not cause delay. This motion is not made for the purposes of vexation or delay and will not prejudice any party to this lawsuit.

6. Counsel for Plaintiff conferred with counsel for EBC on December 5, 2014, and EBC does not oppose this Motion.

7. A proposed order granting this Motion is filed herewith.

WHEREFORE, Plaintiff respectfully requests an enlargement of time up to and including December 10, 2014, to respond to Defendant's Motion.

Respectfully submitted, this 8th day of December, 2014.

**FRANCIS & MAILMAN, P.C.**

/s/ Gregory Gorski

Gregory Gorski

*(pro hac vice)*

Francis & Mailman, P.C.

100 South Broad Street, 19<sup>th</sup> Floor

Philadelphia, PA 19110

Telephone: (215) 735-8600

Facsimile: (215) 940-8000